

# Order

Michigan Supreme Court  
Lansing, Michigan

November 23, 2021

Bridget M. McCormack,  
Chief Justice

157581  
157646

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 157581  
COA: 336598  
Jackson CC: 15-002787-FC

CLIFFORD DURELL McKEE,  
Defendant-Appellant.

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PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 157646  
COA: 333720  
Jackson CC: 15-002788-FC

RODNEY JAMAR McKEE,  
Defendant-Appellant.

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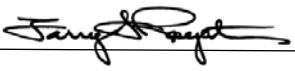
On October 7, 2021, the Court heard oral argument on the applications for leave to appeal the February 27, 2018 judgment of the Court of Appeals. We DIRECT the parties to file additional supplemental briefs within 35 days of the date of this order addressing: (1) whether the trial court reversibly erred in denying defendants' motion for mistrial after the admission of evidence of Cortez Butler's other acts; (2) whether the trial court reversibly erred in failing to grant defendants' motion for separate trials based on Butler's confession, see *Zafiro v United States*, 506 US 534, 539 (1993), and *People v Hana*, 447 Mich 325, 346-347 (1994); and (3) whether Butler's confession was obtained in violation of *Miranda v Arizona*, 384 US 436 (1966), and whether defendants may challenge the admission of Butler's confession against them as third parties, see *People v Wood*, 447 Mich 80, 89 (1994). In briefing these issues, the parties need not address whether the admission of Butler's statements to the police was a violation of *Bruton v United States*, 391 US 123 (1968).



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 23, 2021

  
Clerk